

Report of an ordinary meeting of the Regulatory and Planning Committee, held in the Council Chambers, 29 Bowler Avenue, Gore, on Tuesday 13 March 2018, at 6.08pm

Present His Worship the Mayor (Mr Tracy Hicks, JP), Cr Highsted (Chairman), Crs Beale, Bolger, Davis, Dickson, Gardyne, P Grant, Phillips, Reid and Sharp.

In Attendance The Chief Executive (Mr Stephen Parry), Chief Financial Officer (Mr Luke Blackbeard), General Manager Regulatory and Planning (Dr Ian Davidson-Watts), General Manager Infrastructure (Mr Ramesh Sharma), Transport Manager (Mr Peter Standring), HR/Administration Manager (Susan Jones), 3 Waters Asset Manager (Mr Matt Bayliss), Communications-Marketing Manager (Sonia Gerken), Building Control Manager (Mr Russell Paterson), Planning Consultant (Mr Keith Hovell), Animal Control Officer (Mr David McKewen), Corporate Support Officer (Mrs Suzanne Lucas) and one member of the public in the gallery.

Apology Cr D Grant apologised for absence.

1. GORE DISTRICT DOG CONTROL ACTION PLAN (SC1954)

A memo had been received from the General Manager Regulatory and Planning advising that in August 2017, the Council had approved the development of the Gore District dog control action plan to deliver four key work streams. A copy of the proposed action plan had been circulated and it would form the basis of the animal control team's work programme over the next three years.

RECOMMENDED on the motion of Cr Bolger, seconded by Cr Reid, **THAT** the Committee note and approve in principle the Gore District Dog Control Action Plan 2018-2021,

AND THAT the Committee refer approval of actions requiring significant expenditure (outside standard operating budgets) to its Long Term Plan process or subsequent resolution by the Council.

2. EARTHQUAKE PRONE BUILDINGS – ACTION PLAN FOR THE GORE DISTRICT (SC0980)

A memo had been received from the Building Control Manager advising that prior to 1 July 2017, each Council had been responsible for establishing and maintaining their own Earthquake-Prone Buildings Policy. The Gore District's policy had been established in May 2006, reviewed during 2011 and deferred by the Council in December 2011 until the Canterbury Earthquakes Royal Commission completed its inquiry and direction had been received from central Government. The Building (Earthquake-Prone Buildings) Amendment Act 2016 became effective from 1 July 2017.

In response to Cr Beale, the Manager advised the responsibility was with the building owner and the Council had to take any engineer's assessment at face value.

RECOMMENDED on the motion of Cr Bolger, seconded by Cr P Grant, THAT the report be received,

AND THAT the development and implementation of an Earthquake-prone action plan to meet the legislative requirements of the Building (Earthquake-prone Buildings) Amendment Act 2016 be approved in principle.

3. BUILDING CONTROL ACTIVITIES FOR JANUARY AND FEBRUARY 2018

The Committee perused a building control activities report for January and February.

RECOMMENDED on the motion of Cr Reid, seconded by Cr Phillips, THAT the report be received.

4. REPORT ON ANIMAL CONTROL ACTIVITIES FOR NOVEMBER AND DECEMBER 2017 AND JANUARY 2018

The Committee perused an animal control activity report for November and December 2017 and January 2018.

RECOMMENDED on the motion of Cr Gardyne, seconded by Cr Davis, THAT the report be received.

5. PLANNING DEPARTMENT REPORT

A report from the Planning Consultant was perused by the Committee. The report covered consenting information, the Spatial Plan and a review of the Subdivision Bylaw.

RECOMMENDED on the motion of Cr Dickson, seconded by Cr Phillips, THAT the report be received.

6. REGULATORY SERVICES REPORT

A report from the senior Regulatory Officer was perused by the Committee. The report covered the Bylaws and regulatory policies review update and changes to fire hazard removal powers.

Cr Gardyne referred to the overhanging foliage bylaw and said a lot of farmers were reluctant to cut their hedges due to the high cost of traffic management on top of the hedgecutting contractor.

The Chief Executive advised the current overhanging foliage bylaw related to urban areas rather than rural.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Bolger, THAT the report be received.

7. ENFORCEMENT POLICY (SC0110)

A joint memo had been received from the General Manager Regulatory and Planning and Planning Consultant together with a copy of a draft Enforcement Policy. There was currently no policy in place to guide staff and contractors in determining which of the various enforcement methods should be used. The draft policy confirmed much of what the Council already did. The rule of thumb and best practice was for elected members not to be involved with any enforcement action.

The Consultant added the policy was designed to provide clarity and consistency.

The consensus of the Committee was where there were references in the draft policy to enforcement being actioned by “a *Council senior management decision supported by legal advice*” the preference was for that to be actioned by the Chief Executive only.

The Consultant said the Council’s delegations register had been structured so that in the event that the Chief Executive being absent or having a conflict, then the General Manager Regulatory and Planning could assume the decision making.

His Worship favoured option C and for the Chief Executive having final sign off. The communication to all Councillors was crucial so that everyone was notified at the same time, even if it was by email rather than at a formal meeting.

RECOMMENDED on the motion of Cr P Grant, seconded by Cr Davis, THAT subject to the draft policy being amended to reflect an enforcement order or prosecution being actioned only by the Chief Executive in accordance with the delegations register, that the policy be adopted.

The meeting concluded at 6.47pm